

1 HONORABLE MICHELLE L. PETERSON  
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6 UNITED STATES DISTRICT COURT  
 7 WESTERN DISTRICT OF WASHINGTON  
 8 AT SEATTLE

9 BUNGIE, INC., a Delaware corporation,  
 10 Plaintiff,

11 v.

12 JOSHUA FISHER, JACOB W. MAHURON  
 13 A/K/A "PRAGMATICITAX," MATTHEW  
 14 ABBOTT A/K/A "NOVA," JOSE  
 15 DEJESUS AKA "DAVID HASTINGS"  
 16 A/K/A "J3STER," TRAVERS RUTTEN  
 17 A/K/A "TRAVERS7134," JESSE  
 18 WATSON A/K/A "JESSEWATSON3944,"  
 19 JOHN DOE NO. 1 A/K/A "CALC",  
 20 ANDREW THORPE A/K/A "CYPHER,"  
 21 RYAN POWER AKA "KHALEESI," JOHN  
 22 DOE NO. 4 A/K/A "GOD," JOHN DOE  
 23 NO. 5 A/K/A "C52YOU," JOHN DOE NO.  
 24 6 A/K/A "LELABOWERS74," JOHN DOE  
 25 NO. 7 A/K/A "FRAMEWORK," KICHING  
 26 KANG A/K/A "SEQUEL," JOHN DOE  
 27 NO. 9 A/K/A "INVITUS," DAVID  
 BRINLEE A/K/A "SINISTER," JOHN DOE  
 NO. 11 A/K/A "THEGUY," JOHN DOE  
 NO. 12 A/K/A "BEATRED," JOHN DOE  
 NO. 13 A/K/A "COMMUNITYMODS,"  
 JOHN DOE NO. 14 A/K/A "PALACE,"  
 JOHN DOE NO. 15 A/K/A  
 "VINCENTPRICE," JOHN DOE NO. 16  
 A/K/A "ESSWAN," JOHN DOE NO.  
 17 A/K/A "ADMIRAL," JOHN DOE NO. 18  
 A/K/A "TOMDICKHARRY," JOHN DOE  
 NO. 19 A/K/A "ROB," JOHN DOE NO. 20  
 A/K/A "STAYLOCKED," JOHN DOE NO.

Case No. 2:23-cv-01143-MLP

MOTION FOR ENTRY OF DEFAULT  
 AGAINST DEFENDANT JOHN DOE  
 NO. 25 A/K/A NATHAN BERNARD A/K/A  
 "DOVE"

NOTE ON MOTION CALENDAR:  
 March 26, 2025

1           21 A/K/A "FIVE-STAR," JOHN DOE NO.  
 2           22 A/K/A "HORROR," JOHN DOE NO. 23  
 3           A/K/A ELITECHEATZ.CO, JOHN DOE  
 4           NO. 24 A/K/A MIHAI LUCIAN, JOHN  
 5           DOE NO. 25 A/K/A NATHAN BERNARD,  
 6           A/K/A "DOVE," JOHN DOE NO. 26  
 7           A/K/A "BLACKMAMBA," JOHN DOE  
 8           NO. 27 A/K/A "BILLNYE," JOHN DOE  
 9           NO. 28 A/K/A "BANEK192," JOHN DOE  
 10          NO. 29 A/K/A SHOPPY ECOMMERCE  
 11          LTD, JOHN DOE NO. 30 A/K/A FINN  
 12          GRIMPE A/K/A "FINNDEV," AND JOHN  
 13          DOES NO. 31-50,

14           Defendants.

15           Pursuant to FED. R. CIV. P. 55(a) and Local Civil Rule 55(a), Plaintiff Bungie, Inc. hereby  
 16 moves the Clerk to enter default against Defendant John Doe No. 25 a/k/a Nathan Bernard a/k/a  
 17 "Dove" ("Bernard") based on the following facts:

18           1.       The Amended Complaint in this action – the currently operative complaint in this  
 19 action – was filed on June 17, 2024. *See* Dkt. 54.

20           2.       Bungie sent a request for waiver of formal service of the Summons and Amended  
 21 Complaint to Bernard pursuant to FED. R. CIV. P. 4(d) dated November 13, 2024. Bernard signed  
 22 the waiver of service on January 9, 2025. *See* Dkt. 99.

23           3.       Bernard's signed waiver of service was filed on January 14, 2025. *Id.*

24           4.       Based on that waiver service, Bernard's response to the Amended Complaint was  
 25 due within 60 days from November 13, 2024, the date the request for waiver was sent,  
 26 specifically, January 13, 2025 (the 60th day falling on a Sunday).

27           5.       On January 17, 2025, Bernard emailed counsel for Bungie apparently requesting,  
 28 in relevant part, an extension of the time to respond to Bungie's Amended Complaint.  
 29 Declaration of Dylan Schmeyer ¶ 4. On January 30, 2025, Bungie agreed to a 21-day extension  
 30 following the date of counsel's email for Bernard to respond to Bungie's Amended Complaint,  
 31 making Bernard's new response deadline February 21, 2025. Schmeyer Decl. ¶ 5.

32           6.       However, as of the filing of this Motion, Bernard has not filed an answer or other

1 response to the Amended Complaint and has not appeared in this action. Nor has Bernard  
 2 contacted counsel for Bungie requesting any further extension in this action. Schmeyer Decl. ¶ 6.

3 Based on these facts, pursuant to FED. R. CIV. P. 55(a) and Local Civil Rule 55(a),  
 4 because it has been shown that Defendant John Doe No. 25 a/k/a Nathan Bernard a/k/a "Dove"  
 5 has failed to timely plead or otherwise defend in this action, default should be entered against  
 6 that Defendant. Bungie therefore respectfully requests that the Clerk enter the default of  
 7 Defendant John Doe No. 25 a/k/a Nathan Bernard a/k/a "Dove".

8 Dated this 26th day of March, 2025.

Respectfully submitted,

9 KAMERMAN, UNCYK, SONIKER &  
 KLEIN, P.C.

FOCAL PLLC

10 By: s/ Dylan Schmeyer

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 vice*)  
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 14 Attorneys for Plaintiff Bungie, Inc.

#### WORD LIMIT CERTIFICATION

15 I certify that this memorandum contains 343 words, in compliance with the Local Civil  
 16  
 17 Rules.

18 By: s/ Stacia N. Lay

19 Stacia N. Lay, WSBA #30594